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# AMERICAN SURVEY



## Lashing out against leakers

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A Russian-speaking communications specialist files for bankruptcy, with \$63,000 in debts, and then leaves his job with America's top-secret National Security Agency; nobody checks. Six months later he speaks over a tapped telephone line to the Soviet embassy in Washington, enters its well-scrutinised door and departs in disguise; nobody twigs. Over the next three years he travels twice to Vienna where he moves in with the Soviet ambassador for three days at a time; nobody notices. Only when a Soviet agent defects (or pretends to defect) last summer does the FBI pick up the trail of the ex-bankrupt, now a drug-addict, who has told the Russians how Americans eavesdrop on Soviet command and control communications. Three days after Mr Vitaly Yurchenko redefects (or completes his KGB assignment), Mr Ronald Pelton is arrested and charged with espionage.

The Pelton trial which opened in Baltimore this week was not the expected anticlimax to this sorry saga of American unintelligence. Although the government had bound the defence not to reveal classified information in court, the prosecutor provided a surprisingly extensive picture of how America spies on the Soviet Union and the high cost of the Pelton giveaways. Intelligence officials are reported to have argued against going to trial and in favour of the more common course of granting immunity in return for confession. (Mr Pelton claims this is what he thought he had been offered.) But the Reagan administration likes its spies nailed down (a year ago another secret-seller was indicted in Baltimore and is still in court; like Mr Pelton, his only motive was money). And the chief of America's intelligence establishment is threatening to make co-conspirators out of Mr Pel-

ton's unindicted chroniclers in the press.

Over the past few weeks Mr William Casey has given warning of legal action against the National Broadcasting Company, the *Washington Post*, the *New York Times*, the *Washington Times*, *Newsweek* and *Time*. The first two were specifically accused of spilling security beans about the Pelton case, NBC in a single sentence, the *Washington Post* in a detailed analysis by Mr Bob Woodward, who is writing a book about the CIA. Mr Casey first tried to block the Woodward piece, then got President Reagan to appeal to the chairman of the newspaper's board, Mrs Katharine Graham, for self-censorship on grounds of national security. The *Post* published a sanitised version of its story on May 21st, but Mr Casey is still considering prosecution.

Some of the other papers were alleged to have endangered national security by reporting American interception of Libya's communications with terrorists through its mission in East Berlin. These cases seem unlikely to be pursued since the code-breaking was actually revealed by Mr Reagan, in a national broadcast justifying America's raid on Libya. But NBC has another subpoena over its head: it is helping the Justice Department with inquiries about its recent interview with Abul Abbas, the suspected organiser of the *Achille Lauro* hijacking. The *Washington Times*, whose lines to the Reagan administration are so good that it is sometimes called Washington's *Pravda*, reported this week that the Justice Department is waiting for "a good test case" on which to get the press.

The law which Mr Casey has threatened to invoke against the press, as a kind of official secrets act, is the so-called Comint statute of 1950 which bans revelations about communications intelligence. The least serious of six counts against Mr Pelton comes under this law, but it has never been used against a news organisation. The point of suing newspapers for revealing secrets which the Russians already know (the *Post* says the Russians even got a sample of America's submarine-spying device for their \$35,000) is not clear. One explanation is simply to alleviate a spymaster's frustration. Another is to deter further journalistic nosing into government business, particularly the covert arming and warring that are Mr Casey's stock in trade.

The press may be the main enemy, as

seen from the CIA stockade, but it is not the only one. Last month the Defence Department fired an assistant under-secretary who failed a lie-detector test designed to ferret out the source of reports that Stinger anti-aircraft weapons were to be supplied to rebels in Angola and Afghanistan. Two weeks later a State Department aide was dropped for leaking a diplomatic cable. Both leakers were political appointees who could be said to have been doing their bit for the conservative cause. But leak-phobia has reached such heights in this administration that object lessons must be taught. This week a cabinet-level security committee was due to consider recommendations for wider use of polygraph tests and a special FBI anti-leak "strike force". It is already known as the plumbers.